

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

In the Matter of )

Missouri Public Service Commission's )

Petition for Additional Delegated )

Authority to Implement Number )

Conservation Measures in the 314, 417, )

573, 636, 660 and 816 Area Codes. )

CC Docket No. 96-98

PETITION

The Missouri Public Service Commission (MoPSC) respectfully requests additional delegated authority to implement various area code conservation measures in the 314, 417, 573, 636, 660 and 816 area codes in the State of Missouri. This request is the result of an extensive review of central office code (NXX) exhaustion in Missouri and a subsequent finding by the MoPSC that additional delegated authority is necessary for the MoPSC to adequately pursue number conservation.

**I. Background**

Section 251(e) of the Telecommunications Act of 1996 grants the Federal Communications Commission (Commission) exclusive jurisdiction over numbering issues and allows the Commission to delegate to state commissions all or any portion of such jurisdiction. Pursuant to that section, the Commission delegated additional authority to state commissions in the *Pennsylvania Numbering Order*.<sup>1</sup> The Commission also directed the Chief of the Common Carrier Bureau to determine whether state commissions should be delegated additional authority

<sup>1</sup> In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717 and the Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, NSD File No. L-97-42, CC Docket No. 96-98, FCC 98-224. (Released September 28, 1998).

to implement innovative or experimental area code number conservation efforts. Following the Commission's Order, the state commissions of California, Florida, Massachusetts, New York and Maine each petitioned the Commission and received additional authority to implement various area code conservation and relief planning measures.<sup>2</sup> The additional number conservation measures granted by the Commission include thousands-block pooling trials; establishing usage thresholds; reclamation of unused and reserved NXX codes, and portions of those codes; establishing numbering allocation standards; requiring sequential number assignment; hearing and addressing claims of carriers seeking numbering resources outside of the rationing process; maintaining rationing procedures for six months following area relief; requiring the submission of utilization data from all carriers; implementing NXX code sharing; and auditing carriers' use of numbering resources.

## **II. Number Exhaustion in Missouri**

The State of Missouri is experiencing a rapid exhaustion of numbers similar to the problems experienced by the states of California, Florida, Massachusetts, New York and Maine. Missouri currently has 43 incumbent local exchange carriers and approximately 47 certified competitive local exchange carriers that all may require NXX codes to provide service. In 1996 the MoPSC implemented a geographic split of the 314 numbering plan area (NPA) by adding the

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<sup>2</sup> In the Matter of Massachusetts Department of Telecommunications and Energy's Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes, CC Docket No. 96-98, NSD File No. L-97-19, FCC 99-246 (September 15, 1999); In the Matter of California Public Utilities Commission Petition for Delegation of Additional Authority Pertaining to Area Code Relief and NXX Code Conservation Measures, CC Docket No. 96-98, NSD File No. L-98-136, FCC 99-248 (September 15, 1999); In the Matter of Florida Public Service Commission Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures, CC Docket No. 96-98, NSD File No. L-99-33, FCC 99-249 (September 15, 1999); In the Matter of the State of New York State Department of Public Service Petition for Additional Delegated Authority to Implement Number Conservation Measures, CC Docket No. 96-98, NSD File No. L-99-21, FCC 99-247 (September 15, 1999). In the Matter of Maine Public Utilities Commission Petition for Additional Delegated Authority to Implement Number Conservation Measures, CC Docket No. 96-98, NSD File No. L-99-27, FCC 99-260 (September 28, 1999). In addition to these five states, pending before the Commission are the requests for additional number conservation authority by the state commissions from New Hampshire, Wisconsin, Connecticut, and Texas.

573 NPA due to this exhaustion and released almost 250 NXX codes for the St. Louis area. However, as more competitors entered the competitive telecommunications market and as the growth of second lines, cellular service, paging, residential and business service continued in the 314 NPA, it was necessary for the MoPSC to initiate a second geographic split of the 314 NPA. The new split will add a 636 NPA and will take affect in February 2000. This year in the 816 NPA, the MoPSC implemented a geographic split as a result of number exhaustion in Kansas City and the surrounding area. Despite these recent geographic splits, the MoPSC received notice from the North American Numbering Plan Administration (NANPA) that it has already begun scheduling industry meetings to begin additional relief planning for the 314 NPA and the 816 NPA. Number exhaustion continues in Missouri at a rapid pace and additional authority is necessary for the MoPSC as it strives to take the appropriate measures necessary to assure that the requirements of 47 C.F.R. § 52.9(a) are met.<sup>3</sup>

### **III. Additional Authority Requested**

To address the rapid exhaustion of numbers in Missouri, the MoPSC respectfully requests the Commission delegate to the MoPSC the authority to implement the following:

- Thousands-block pooling trials;
- Establish usage thresholds;
- Reclaim unused and reserved NXX codes, and portions of those codes;
- Establish numbering allocation standards;
- Require sequential number assignment;

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<sup>3</sup> 47 C.F.R. § 52.9(a) requires the administration of numbers to: "(1) Facilitate entry into the telecommunications marketplace by making telecommunications numbering resources available on an efficient, timely basis to telecommunications carriers; (2) Not unduly favor or disfavor any particular telecommunications industry segment or group of telecommunications consumers; and (3) Not unduly favor one telecommunications technology over another."

- Hear and address claims of carriers seeking numbering resources outside of the rationing process;
- Maintain rationing procedures for six months following area relief;
- Require the submission of utilization data from all carriers;
- Implement NXX code sharing; and
- Audit carrier's use of numbering resources.

By granting the MoPSC the additional authority to implement the above measures, the Commission will ensure a more effective use of Missouri's numbering resources.

#### **IV. Conclusion**

At this time the MoPSC has not determined which of the requested measures is best for Missouri's area codes. However, it is necessary that the MoPSC be allowed the full range of options available to ensure its ability to implement the measure best suited for a particular area code. For these reasons, the MoPSC respectfully requests that the Commission delegate to the MoPSC the additional authority to implement the number conservation measures contained herein for the 314, 417, 573, 636, 660 and 816 area codes in the State of Missouri.

Respectfully submitted,

DANA K. JOYCE  
General Counsel



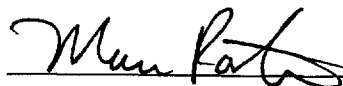
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Marc Poston  
Senior Counsel  
Missouri Bar No. 45722

Attorneys for the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-8701 (Telephone)  
(573) 751-9285 (Fax)

**Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 1st day of November 1999.



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**Service List for  
CC Docket No. 96-98  
Revised: November 1, 1999**

Magalie Roman Salas, Secretary  
Federal Communications Commission  
Room 222, 1919 M Street, NW  
Washington, DC 20554

Jared Carlson  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
2000 M Street, NW  
Washington, DC 20554

Jeannie Grimes  
Common Carrier Bureau  
Federal Communications Commission, Ste. 235  
2000 M Street, NW  
Washington, DC 20554

Susan Ness, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, 8<sup>th</sup> Floor  
Washington, DC 20554

Michael Powell, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, 8<sup>th</sup> Floor  
Washington, DC 20554

Al McCloud  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
2000 M Street, NW  
Washington, DC 20554

International Transcription Service  
1231 20<sup>th</sup> Street, NW  
Washington, DC 20036

William E. Kennard, Chairman  
Federal Communications Communication  
445 12<sup>th</sup> Street, SW, 8<sup>th</sup> Floor  
Washington, DC 20554

Harold Furchgott-Roth, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, 8<sup>th</sup> Floor  
Washington, DC 20554

Gloria Tristani, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, 8<sup>th</sup> Floor  
Washington, DC 20554

Lawrence E. Strickling, Chief  
Common Carrier Bureau  
Federal Communications Commission  
1919 M Street NW, Room 500  
Washington, DC 20554

Yog R. Varma, Deputy Chief  
Common Carrier Bureau  
Federal Communications Commission  
1919 M Street NW, Room 500  
Washington, DC 20554

Wayne Milby  
Lockheed Martin IMS  
1133 15<sup>th</sup> Street NW  
Washington, DC 20005

Cheryl Tritt, Esq.  
Morrison & Foerester  
2000 Pennsylvania Ave. NW  
Washington, DC 20006

J. Bradford Ramsay  
NARUC  
1100 Pennsylvania Avenue, Ste. 603  
Washington, DC 20004

Governor A. Paul Cellucci  
Commonwealth of Massachusetts  
State House  
Boston, MA 02133

Daniel Mitchell  
Assistant Attorney General  
Regulated Industries Division  
Office of the Attorney General  
200 Portland Street, 4<sup>th</sup> Floor  
Boston, MA 02114

Barbara Anne Sousa, Esq.  
Bell Atlantic-Massachusetts  
185 Franklin St., Room 1403  
Boston, MA 02110

Kenneth Salinger, Esq.  
Palmer & Dodge LLP  
One Beacon Street  
Boston, MA 02108

Kenneth Ira Spigle, Esq.  
Rosenberg, Freedman & Goldstein  
246 Walnut Street  
Newton, MA 02460

Elizabeth McJimsey, Esq.  
Sprint Spectrum L.P. d/b/a Sprint PCS  
4900 Main Street, 12<sup>th</sup> Floor  
Kansas City, MO 64112

Ellen Schmidt, Esq.  
Counsel, Director of Reg. Affairs  
MediaOne Telecommunications of MA, Inc  
6 Campanell Drive  
Adover, MA 01890

Nathan T. Foose, Esq.  
Martin Rothfelder, Esq.  
The Rothfelder Law Offices  
625 Central Avenue  
Westfield, NJ 07090

Robert Shapiro, Esq.  
Maritbeth Ladd, Esq.  
Rubin & Rudman, LLP  
50 Rowes Wharf  
Boston, MA 02110-3319

Robert J. Metzler, II, Esq.  
Tyler Cooper & Alcorn  
City Place 35<sup>th</sup> Floor  
Hartford, CT 06103

Benjamin Dickens, Jr., Esq.  
Blooston, Mordkofsky, Jackson & Dickens  
2120 L Street, NW  
Washington, DC 20037

Michael McRae, Esq.  
Senior Regulatory Counsel  
AT&T/Teleport Communications  
1133 21<sup>st</sup> St., NW, Ste. 40  
Washington, DC 20036

Harvey C. Kaish, Esq.  
McCarter & English  
Four Gateway Center, P.O. Box 652  
Newark, NJ 07101

Curtis L. Groves, Esq.  
Hope H. Barbulescu, Esq.  
MCI WorldCom  
5 International Drive  
Rye Brook, NY 10573-1095

Alan D. Mandl, Esq.  
Ottenberg, Dunkless, Mandl & Mandl  
260 Franklin Street, Ste. 1880  
Boston, MA 02110

Robert J. Munnely, Jr., Esq.  
New England Cable TV Assoc.  
100 Grandview Road, Ste. 201  
Washington, DC 20036

Paul Frisoli, President  
SAS Security Systems  
67 Pleasant Street  
Watertown, MA 02172

Meabh Purcell, Esq.  
LeBoeuf, Lamb, Greene & MacRae, LLP  
260 Franklin Street  
Boston, MA 02110-3173

Carolyn Stupe, Esq.  
Regulatory Counsel  
Teligen, Inc.  
8065 Leesburg Pike  
Vienna, VA 22182



Russell Blau, Esq.  
Richard M. Rindler, Esq.  
Kathleen L. Greenan  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, NW, Ste. 300  
Washington, DC 20007

Cathy Thurston, Esq.  
State Regulatory Affairs/East  
Sprint Communications Company, LP  
1850 M Street, NW, Ste. 1100  
Washington, DC 20036

Matthew H. Berns, Esq.  
Focal Communications Corporation  
200 North LaSalle Street  
Chicago, IL 60601